

Before the  
Federal Communications Commission  
Washington, DC 20554

	)	
Request for Waiver of	)	
Invoicing Deadline	)	
	)	
Broome-Tioga BOCES, et al.	)	CC Docket No. 02-6
	)	
Schools and Libraries Universal Service	)	
Support Mechanism	)	

**Request for Waiver**  
**FCC Form 472 Invoice Deadline for Funding Year 2014**

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We request a Federal Communication Commission (FCC) waiver of the invoicing deadline for Funding Year 2014 for the Funding Requests referenced in Table 1. We understand that the invoice deadline extension rules in the FCC’s First E-rate Modernization Order (FCC 14-99) were created “in the interest of efficient program administration”. However we submit that the six cases below present “extraordinary circumstances”. In this situation, the delay in filing was not caused by the applicants but by USAC. At the time of the invoicing deadline, USAC did not have a reliable system in place for issuing new applicant PINs.

**Table 1: Invoice Deadline Waiver Requests**

<b>Applicant</b>	<b>Entity Number</b>	<b>Form 471 Application Number</b>	<b>Funding Request Number</b>
Broome-Tioga BOCES	124758	959326	2631270
Broome-Tioga BOCES	124758	959372	2635266
Broome-Tioga BOCES	124758	959372	2635405
Odessa-Montour Central School District	125112	947317	2639042
SSCTA BOCES dba GST BOCES	225599	974631	2677207
St. Lawrence-Lewis BOCES	124623	967368	2645864

August 2, 2016 and August 3, 2016: USAC issued six Administrator's Decision on Appeal-Funding Year 2014-2015 letters. The letters covered the six FRNs listed above, and granted the applicants 30 days from the date of the letters to submit an invoice.

August 18, 2016: We received the six letters in the mail. This reduced our required response time to either 14 or 15 days.

We had existing PINs for these entities which we had previously used to certify Forms 470 and Forms 471. However as we tried to use these PINs we experienced problems. We would be able to use the PIN one day, and then the PIN would no longer work the following day. We contacted USAC multiple times regarding new PINs, and we were repeatedly told that they were "experiencing a small delay while they tried to determine the best way to send PINs out." We repeatedly explained that we had an upcoming invoicing deadline, but we were told that they could not provide any assistance. (Some of our notes are included in the attached appeal to USAC.)

September 1, 2016: We mailed paper BEARs despite the new requirement to file online. We also submitted a request for invoice deadline extensions. Both the paper BEARs and the invoice deadline requests were rejected (we had already received one extension).

September 20, 2016: We appealed the 30-day deadline set forth in the Administrator's Decision on Appeal letters stating that the allotted time was unreasonable given USAC's temporary hold/delay on issuing PINs. We've attached our appeal letter which provides additional details on some of our contact with USAC.

December 5, 2016: USAC denied our appeal stating that we "failed to provide evidence on appeal that USAC erred in its original decision".

These applicants have taken every step that they could in order to file their Forms 472- contacted USAC repeatedly, filed paper forms before the deadline, submitted an invoice deadline extension request before the deadline, and filed an appeal. They have demonstrated that they had all of the information prepared and ready to file. In an effort to make the program more efficient, the new rules, requiring online submission of Forms 472 when the system apparently was not ready and limiting applicants to one invoice deadline extension, have resulted in a more complex and time consuming process. Every attempt was made to meet the September invoicing deadlines. Therefore we request that these applicants be granted invoice extensions and not be penalized for apparent system issues.

Respectfully submitted this 3<sup>rd</sup> day of February 2017,

A handwritten signature in black ink that reads "Jessica A. Nilsen". The script is cursive and fluid, with the first letters of each name being capitalized and prominent.

Jessica A. Nilsen

Consultant

5701 East Circle Drive #133

Cicero, New York 13039

(315) 254-2022

jessica.nilsen@eratepartners.com

September 20, 2016

*E-rate Partners*

5701 East Circle Drive #133  
Cicero, New York 13039  
Tel: 315-254-2022  
Fax: 888-372-8303  
www.eratepartners.com  
jessica.nilsen@eratepartners.com

Schools and Libraries Program Correspondence Unit  
Attention: Letter of Appeal  
30 Lanidex Plaza West, PO Box 685  
Parsippany, NJ 07054-0685

Re: Appeal of Multiple Administrator's Decision on Appeal Letters

To Whom It May Concern:

We are appealing the decision of six Administrator's Decision on Appeal – Funding Year 2014-2015 letters. These letters were dated August 02, 2016 and August 03, 2016, and cover the six FRNs listed below. While we appreciate the favorable decision in these letters, we find that the allotted response time, “30 days from the date of this letter to submit an invoice” to be entirely unreasonable for the following reasons.

1. While the letters were dated August 02, 2016 and August 03, 2016, we did not receive them until August 18, 2016. This effectively reduced our required response time to either 14 or 15 days.
2. USAC is currently unable to issue PINs a timely manner. We have experienced many problems with previously functioning PINs. Since we are now required to file BEAR forms online, we have no option but to sit and wait three or more weeks to receive new PINs. Even given the full 30 days, which is impossible due to mail time, it would have been virtually impossible to meet the deadline of this appeal.

We request an adjustment to the deadline set forth in the appeal.

Contact Information:

Name: Jessica Nilsen  
Address: 5701 East Circle Drive #133, Cicero, NY 13039  
Telephone: 315-254-2022  
Email: jessica.nilsen@eratepartners.com

Six Cases Involved:

Applicant Name: Broome-Tioga BOCES  
Billed Entity Number: 124758  
Form 471 Number: 959326  
Funding Request Number: 2631270  
SPIN: 143001192

Applicant Name: Broome-Tioga BOCES  
Billed Entity Number: 124758  
Form 471 Number: 959372  
Funding Request Number: 2635266  
SPIN: 143001356

Applicant Name: Broome-Tioga BOCES

Billed Entity Number: 124758  
Form 471 Number: 959372  
Funding Request Number: 2635405  
SPIN: 143001356

Applicant Name: SSCTA BOCES DBA GST BOCES  
Billed Entity Number: 225599  
Form 471 Number: 974631  
Funding Request Number: 2677207  
SPIN: 143030359

Applicant Name: Odessa Montour Ctrl Sch Dist  
Billed Entity Number: 125112  
Form 471 Number: 947317  
Funding Request Number: 2639042  
SPIN: 143001330

Applicant Name: St. Lawrence-Lewis BOCES  
Billed Entity Number: 124623  
Form 471 Number: 967368  
Funding Request Number: 2645864  
SPIN: 143023654

Please note that we did not wait until the last minute to try to submit these forms. We'd already started working on the Form 498 process. Unfortunately as we started logging into the online system to check the Form 498 status and to attempt to submit BEARs online, we began running into issues. We would be able to use a PIN one day, and then it would not work a day or two later.

There have been a myriad of calls and cases with USAC, but here are the highlights.

08/23/2016 – I was able to use the PIN for BEN 124623. I updated the email address. See the attached email response. The Form 498 was not yet approved.

08/24/2016 – I tried logging in to check the Form 498 status for BEN 124623 again, and the PIN no longer worked. I also had trouble with BEN 124728. I contacted USAC to request new PINs for both entities. (Case numbers 111528 & 111547) I was told that since the PINs would have to be mailed from Kansas to New York that I would need to allow several weeks for the new PINs to arrive. I explained that I had BEAR forms due, but I was told that there was no way to expedite the process.

I confirmed that the PINs for the additional two entities (BENs 225599 & 125112) were functioning. I updated the email address for BEN 125112. Unfortunately, I did not realize that I was going to experience similar issues with additional PINs, or I would have requested new PINs for the additional two entities at the same time. However, it would not have changed the outcome as I did not receive any PINs prior to the 09/01/2016 and 09/02/2016 deadlines. Ultimately, I did have to request new PINs for BENs 225599 & 125112 as they stopped working as well.

08/31/2016 – I called USAC to ask whether or not the PINs that I had requested had been mailed. My hope was that at least the first two had been mailed. I was informed that USAC was “experiencing a small delay while they tried to determine the best way to send PINs out.” I again explained that I had BEARs due, but I was told that there was nothing that could be done.

09/01/2016 – I submitted a case in EPC (#113327) to appeal for assistance one last time. I was told to file an invoice deadline extension request while I waited for the PINs to be generated (which I did file on 09/01/2016).

09/15/2016 – I received an email with a PIN for BEN 124623. I noted that this PIN was **issued 08/31/2016**. The PIN existed prior to the deadline of 09/02/2016 for this entity, but apparently no one could figure out how to get it emailed to me. There was no reason to miss the deadline for this entity. Since I requested a new PIN for BEN 124758 the same day, I expected an email with a new PIN for that applicant as well. However, after waiting a few hours, I contacted USAC again. I initially received the same explanation as on 08/31/2016. I had a separate appeal approval with a deadline of 09/16/2016 for this entity. I explained this to CSB stating that it had been three weeks and that I'd just received an emailed PIN for the another entity that I had submitted the same day. After waiting on hold so the representative could speak with her manager, she sympathetically informed me that there was nothing that could be done. She had no way of determining when the PIN would be issued and/or how it would be sent to me. However, after we disconnected, she contacted me through the EPC case, and was able to expedite the process somehow. I am extremely grateful as I was able to meet the 09/16/2016 deadline. I wish I had been able to find someone who would've assisted me in this manner prior to 09/01/2016.

I understand that there can be technical issues when transitioning to a new system, changing rules and requirements, etc., but applicants need to be allowed a reasonable amount of time to submit forms during these transition times. If applicants are going to be required to submit forms online, there should be a quick turnaround time for any PIN/password resets. Three weeks (or more as I'm still waiting for PINs that I requested, and BEN 124758 may have not been issued had I not spoken with someone who was diligent in seeking out a solution) is an unacceptable amount of time for a password reset. Having to wait two plus weeks to receive the appeal approval letter and three plus weeks to receive new PINs, makes a 30 day deadline impossible. As a result, I sat with six completed BEAR forms on 09/01/2016 desperately trying to find a way to file them. Despite the requirement to file them online, I mailed them on 09/01/2016, and I included them with my invoice deadline extension request filed on 09/01/2016.

Please grant this appeal and set a reasonable response deadline that takes into consideration the current technical delays. Also, let me express my appreciation again for CSB's assistance on 09/15/2016.

Please contact me with any questions regarding these cases. Thank you for your consideration.

Sincerely,



Jessica A. Nilsen  
President



Universal Service Administrative Company  
Schools & Libraries Division

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**Administrator's Decision on Appeal – Funding Year 2014-2015**

August 02, 2016

Jessica A. Nilsen  
Broome-Tioga BOCES  
5701 East Circle Dr. #133  
Cicero, NY 13039

AUG 18 2016  
RECEIVED

Re: Applicant Name: BROOME-TIOGA BOCES  
Billed Entity Number: 124758  
Form 471 Application Number: 959372  
Funding Request Number(s): 2635266  
Your Correspondence Dated: April 18, 2016

After thorough review and investigation of all relevant facts, the Schools and Libraries Division (SLD) of the Universal Service Administrative Company (USAC) has made its decision in regard to your appeal of USAC's Funding Year 2014 FCC Form 472 (BEAR) Notification Letter for the Application Number indicated above. This letter explains the basis of USAC's decision. The date of this letter begins the 60 day time period for appealing this decision. If your Letter of Appeal included more than one Application Number, please note that you will receive a separate letter for each application.

Funding Request Number(s): 2635266  
Decision on Appeal: **Approved**  
Explanation:

- Based on your appeal letter and the relevant documentation, your appeal is approved and you have 30 days from the date of this letter to submit an invoice.

Since your appeal is approved, you may continue to invoice USAC for a portion of the commitment that is still available, if any.

We thank you for your continued support, patience and cooperation during the appeal process.

Schools and Libraries Division  
Universal Service Administrative Company



Universal Service Administrative Company  
Schools & Libraries Division

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**Administrator's Decision on Appeal – Funding Year 2014-2015**

August 02, 2016

Jessica A. Nilsen  
Broome-Tioga BOCES  
5701 East Circle Dr. #133  
Cicero, NY 13039

RECEIVED  
AUG 18 2016

Re: Applicant Name: BROOME-TIOGA BOCES  
Billed Entity Number: 124758  
Form 471 Application Number: 959372  
Funding Request Number(s): 2635405  
Your Correspondence Dated: April 18, 2016

After thorough review and investigation of all relevant facts, the Schools and Libraries Division (SLD) of the Universal Service Administrative Company (USAC) has made its decision in regard to your appeal of USAC's Funding Year 2014 FCC Form 472 (BEAR) Notification Letter for the Application Number indicated above. This letter explains the basis of USAC's decision. The date of this letter begins the 60 day time period for appealing this decision. If your Letter of Appeal included more than one Application Number, please note that you will receive a separate letter for each application.

Funding Request Number(s): 2635405  
Decision on Appeal: **Approved**  
Explanation:

- Based on your appeal letter and the relevant documentation, your appeal is approved and you have 30 days from the date of this letter to submit an invoice.

Since your appeal is approved, you may continue to invoice USAC for a portion of the commitment that is still available, if any.

We thank you for your continued support, patience and cooperation during the appeal process.

Schools and Libraries Division  
Universal Service Administrative Company



Jessica A. Nilsen  
Broome-Tioga BOCES  
5701 East Circle Dr. #133  
Cicero, NY 13039

Billed Entity Number: 124758  
Form 471 Application Number: 959372  
Form 486 Application Number:



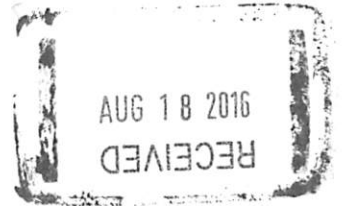
Universal Service Administrative Company  
Schools & Libraries Division

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**Administrator's Decision on Appeal – Funding Year 2014-2015**

August 02, 2016

Jessica A. Nilsen  
Erate Partners LLC  
5701 East Circle Dr. #133  
Cicero, NY 13039



Re: Applicant Name: ODESSA MONTOUR CTRL SCH DIST  
Billed Entity Number: 125112  
Form 471 Application Number: 947317  
Funding Request Number(s): 2639042  
Your Correspondence Dated: April 18, 2016

After thorough review and investigation of all relevant facts, the Schools and Libraries Division (SLD) of the Universal Service Administrative Company (USAC) has made its decision in regard to your appeal of USAC's Funding Year 2014 FCC Form 472 (BEAR) Notification Letter for the Application Number indicated above. This letter explains the basis of USAC's decision. The date of this letter begins the 60 day time period for appealing this decision. If your Letter of Appeal included more than one Application Number, please note that you will receive a separate letter for each application.

Funding Request Number(s): 2639042  
Decision on Appeal: **Approved**  
Explanation:

- Based on your appeal letter and the relevant documentation, your appeal is approved and you have 30 days from the date of this letter to submit an invoice.

Since your appeal is approved, you may continue to invoice USAC for a portion of the commitment that is still available, if any.

We thank you for your continued support, patience and cooperation during the appeal process.

Schools and Libraries Division  
Universal Service Administrative Company



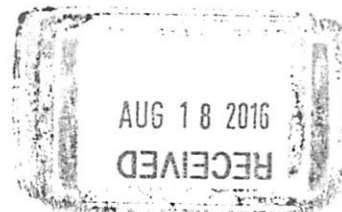
Universal Service Administrative Company  
Schools & Libraries Division

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**Administrator's Decision on Appeal – Funding Year 2014-2015**

August 03, 2016

Jessica A. Nilsen  
Erate Partners  
5701 East Circle Dr. #133  
Cicero, NY 13039



Re: Applicant Name: BROOME-TIOGA BOCES  
Billed Entity Number: 124758  
Form 471 Application Number: 959326  
Funding Request Number(s): 2631270  
Your Correspondence Dated: April 18, 2016

After thorough review and investigation of all relevant facts, the Schools and Libraries Division (SLD) of the Universal Service Administrative Company (USAC) has made its decision in regard to your appeal of USAC's Funding Year 2014 FCC Form 472 (BEAR) Notification Letter for the Application Number indicated above. This letter explains the basis of USAC's decision. The date of this letter begins the 60 day time period for appealing this decision. If your Letter of Appeal included more than one Application Number, please note that you will receive a separate letter for each application.

Funding Request Number(s): 2631270  
Decision on Appeal: **Approved**  
Explanation:

- Based on your appeal letter and the relevant documentation, your appeal is approved and you have 30 days from the date of this letter to submit an invoice.

Since your appeal is approved, you may continue to invoice USAC for a portion of the commitment that is still available, if any.

We thank you for your continued support, patience and cooperation during the appeal process.

Schools and Libraries Division  
Universal Service Administrative Company

Jessica A. Nilsen  
Broome-Tioga BOCES  
5701 East Circle Dr. #133  
Cicero, NY 13039

Billed Entity Number: 124758  
Form 471 Application Number: 959372  
Form 486 Application Number:



**Universal Service Administrative Company**  
Schools & Libraries Division

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**Administrator's Decision on Appeal – Funding Year 2014-2015**

August 03, 2016

Jessica A. Nilsen  
Erate Partners  
5701 East Circle Dr. #133  
Cicero, NY 13039

AUG 18 2016  
RECEIVED

Re: Applicant Name: ST LAWRENCE-LEWIS BOCES  
Billed Entity Number: 124623  
Form 471 Application Number: 967368  
Funding Request Number(s): 2645864  
Your Correspondence Dated: April 18, 2016

After thorough review and investigation of all relevant facts, the Schools and Libraries Division (SLD) of the Universal Service Administrative Company (USAC) has made its decision in regard to your appeal of USAC's Funding Year 2014 FCC Form 472 (BEAR) Notification Letter for the Application Number indicated above. This letter explains the basis of USAC's decision. The date of this letter begins the 60 day time period for appealing this decision. If your Letter of Appeal included more than one Application Number, please note that you will receive a separate letter for each application.

Funding Request Number(s): 2645864  
Decision on Appeal: **Approved**  
Explanation:

- Based on your appeal letter and the relevant documentation, your appeal is approved and you have 30 days from the date of this letter to submit an invoice.

Since your appeal is approved, you may continue to invoice USAC for a portion of the commitment that is still available, if any.

We thank you for your continued support, patience and cooperation during the appeal process.

Schools and Libraries Division  
Universal Service Administrative Company

Jessica A. Nilsen  
Erate Partners  
5701 East Circle Dr. #133  
Cicero, NY 13039

Billed Entity Number: 124623  
Form 471 Application Number: 967368  
Form 486 Application Number:



Universal Service Administrative Company  
Schools & Libraries Division

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**Administrator's Decision on Appeal – Funding Year 2014-2015**

August 03, 2016

Jessica A. Nilsen  
Erate Partners  
5701 East Circle Dr. #133  
Cicero, NY 13039

AUG 18 2016  
RECEIVED

Re: Applicant Name: SSCTA BOCES DBA GST BOCES  
Billed Entity Number: 225599  
Form 471 Application Number: 974631  
Funding Request Number(s): 2677207  
Your Correspondence Dated: April 18, 2016

After thorough review and investigation of all relevant facts, the Schools and Libraries Division (SLD) of the Universal Service Administrative Company (USAC) has made its decision in regard to your appeal of USAC's Funding Year 2014 FCC Form 472 (BEAR) Notification Letter for the Application Number indicated above. This letter explains the basis of USAC's decision. The date of this letter begins the 60 day time period for appealing this decision. If your Letter of Appeal included more than one Application Number, please note that you will receive a separate letter for each application.

Funding Request Number(s): 2677207  
Decision on Appeal: **Approved**  
Explanation:

- Based on your appeal letter and the relevant documentation, your appeal is approved and you have 30 days from the date of this letter to submit an invoice.

Since your appeal is approved, you may continue to invoice USAC for a portion of the commitment that is still available, if any.

We thank you for your continued support, patience and cooperation during the appeal process.

Schools and Libraries Division  
Universal Service Administrative Company

Jessica A. Nilsen  
Erate Partners  
5701 East Circle Dr. #133  
Cicero, NY 13039

Billed Entity Number: 225599  
Form 471 Application Number: 974631  
Form 486 Application Number:



**Jessica Nilsen**

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**From:** sldnoreply@sl.universalservice.org  
**Sent:** Tuesday, August 23, 2016 2:40 AM  
**To:** Jessica Nilsen  
**Subject:** Change PIN Status

**Importance:** High

For Entity Number 124623 you have successfully changed your PIN.

## #113327 - PIN Request

[Follow](#)[Reopen Case](#)

## Case Details

**Topic** Other

**Status** Closed

**Priority** High

**Inquiry Type** Web

**Form Type** FCC Form 472

**Form Number**

**Created By** Jessica Nilsen

**Created On** 9/1/2016 3:30 AM EDT

**Organization** [E-Rate Partners LLC](#)

## Case Description

**Description** I received an appeal approval letter on 08/18/2016 which allowed 30 days from the date of approval (8/2 or 8/3) to file BEAR forms for 6 FRNs. Unfortunately I've experienced problems with the PINs involved. I had functioning PINs but since 08/24/2016, the PINs have stopped working at various points. I've contacted USAC requesting new PINs, but I have been informed that there's currently a delay in issuing PINs and that USAC is trying to determine the best way to issue PINs. Unfortunately, I only had two weeks to file these forms, and I'm out of time. I need to file these BEARs either today or tomorrow. Is there anything else that I can do? Can new PINs be emailed to me? Do I have any other options?

FRN 2631270 Broome-Tioga BOCES Due 9/2  
FRN 2635266 Broome-Tioga BOCES Due 9/1  
FRN 2635405 Broome-Tioga BOCES Due 9/1  
FRN 2677207 SSCTA dba GST BOCES Due 9/2  
FRN 2639042 Odessa-Montour CSD Due 9/1  
FRN 2645864 St. Lawrence-Lewis BOCES Due 9/2

Thank you.

## Case Artifacts

## Documents

Name	Uploaded By	Upload Date
No items available		

## Attachments

Attachment	Attachment Type
No items available	

## Case Thread

User	Note	Date
USAC	<p>Jessica,</p> <p>You will need to file an Invoice extension while waiting for your PINs to be generated. Please go to this link which provides additional steps on filing. <a href="http://usac.org/sl/applicants/step06/invoice-extensions.aspx">http://usac.org/sl/applicants/step06/invoice-extensions.aspx</a></p> <p>We are currently experiencing a small delay in issuing PINs as we are researching the best way to issue PINs going forward. We hope to have more information on this soon.</p> <p>If you have any additional questions or concerns, please reopen this case, create a new case, or contact the Client Service Bureau at 888-203-8100.</p>	9/1/2016 9:34 AM EDT

## Case Contact

**Case Contact** Jessica Nilsen